



JAMES A. NOYES, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

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January 22, 2003

IN REPLY PLEASE
REFER TO FILE: **MP-5**

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

RESOLUTION OF SUMMARY VACATION CANON DRIVE - GLENVIEW SUPERVISORIAL DISTRICT 3 3 VOTES

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find this action categorically exempt from the provisions of the California Environmental Quality Act (CEQA).
2. Find that:
 - a. Pursuant to Section 8331(a) of the Streets and Highways Code, the street or highway has been impassable for vehicular and pedestrian traffic for a period of five consecutive years.
 - b. Pursuant to Section 8331(b) of the Streets and Highways Code, no public monies were expended for the maintenance of the street during that period.
 - c. Pursuant to Section 8334(a) of the Streets and Highways Code, the street right of way is excess and not required for street or highway purposes.
 - d. Pursuant to Section 2381 of the Streets and Highways Code, the street to be vacated is not useful as a nonmotorized transportation facility and is not needed for present or prospective public use.

3. Adopt the enclosed Resolution of Summary Vacation to vacate the portion of Canon Drive, north of Comida Way, as described in Exhibit "A" of the Resolution.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Mr. Gerald E. Ronnebeck, on behalf of Stephen A. and Mary Cossey, requested this vacation in order that a residential structure may be built on the Cosseys' property. The proposed vacation is a requirement of a building permit application. The issuance of the permit is conditioned upon the applicants' construction of a turnaround at the intersection to accommodate fire-fighting equipment. As part of the improvement and to prevent erosion/slippage of the roadway, the County is requiring construction of retaining walls to protect and secure the proposed turnaround. To reduce the County's maintenance responsibility, the retaining walls are to be constructed outside of the County right of way which will be accomplished by the vacation of the County right of way. The structures will be built within the proposed vacation area. The vacation of the road will not have a negative impact on adjacent properties nor impact the County Highway Plan. No existing public utility easements will be affected by the proposed vacation.

Canon Drive was dedicated to the County for public road purposes in February 1923, but was never constructed or used as a public road due to the extreme topography. It is in the County's interest to vacate the street since it no longer serves the purposes for which it was dedicated and is not required for general public access, circulation, or for bicycle paths or trails.

Implementation of Strategic Plan Goals

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the vacation of this portion of Canon Drive will result in added revenue through assessment and taxation, eliminates unnecessary maintenance costs, and removes possible County exposure to liability.

FISCAL IMPACT/FINANCING

Vacation of the street will not have a negative fiscal impact on the County's budget. The applicant has paid a fee of \$1,000 to defray the expense of the investigation. The fee is authorized by your Board in a Resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 2,680 square feet and is shown on the map attached to the Resolution.

The County's interest was acquired as an easement for road purposes by dedication on the maps of Tract No. 3944, recorded in Book 72, pages 36 through 44, inclusive of Maps, on file in the office of the Recorder of the County of Los Angeles.

The Public Streets, Highways, and Service Easement Vacation Law allows your Board to voluntarily relinquish the County's interest over the street. Adoption by your Board of this Department's recommendations terminates the rights of the public to the vacated area and disposes of an unnecessary County right of way. Your action will also result in the property being unencumbered of the public easement, thereby allowing the underlying fee owners to exercise their reversionary rights over the vacated area.

ENVIRONMENTAL DOCUMENTATION

With respect to requirements of CEQA, this proposed vacation is categorically exempt as specified in Class 21(a) of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, Synopsis 57, and Section 15321 of State CEQA Statutes and Guidelines.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The County of Los Angeles Fire Department has found that no fire protection facilities will be affected by the proposed vacation. The County of Los Angeles Regional Planning Commission has determined that the proposed vacation does not conflict with the County-adopted General Plan and that the proposed vacation area is not suitable for bicycle paths and trails.

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CONCLUSION

This action is in the County's best interest. Enclosed is a Resolution of Summary Vacation, approved as to form by County Counsel. Upon adoption of the Resolution, please return one executed original and a copy to this Department for further processing. Public Works will record the Resolution and return the executed original Resolution to you when recorded. In the interim, please retain one executed copy for your files.

One approved copy of this letter is requested.

Respectfully submitted,

JAMES A. NOYES
Director of Public Works

CVC:adg
P5\CANON BRD

Enc.

cc: Chief Administrative Office
County Counsel

RESOLUTION OF SUMMARY VACATION

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that it is hereby found and determined that the portion of Canon Drive north of Comida Way legally described in Exhibit "A" and as shown by the map in Exhibit "B" attached hereto and incorporated herein by this reference, which right of way is located in the vicinity of Glenview, in the County of Los Angeles, State of California, is no longer needed for present or prospective public use based upon the following facts: (1) that the subject right of way (street) has been impassable for vehicular traffic for a period of five consecutive years and that no public monies were expended for maintenance on the right of way during that period; (2) that the right of way is an excess right of way not required for street or highway purposes; and (3) that the right of way is not required for general public access, circulation, or for bicycle paths or trails.

BE IT FURTHER RESOLVED that the right of way in, over, and across said property for street and highway purposes legally described in Exhibit "A" is hereby vacated pursuant to Chapter 4, Part 3, Division 9 of the Streets and Highways Code, State of California, commencing with Section 8330.

BE IT FURTHER RESOLVED that said vacation does not terminate any public service easements.

BE IT FURTHER RESOLVED that the Los Angeles County Department of Public Works be authorized to record the certified original Resolution in the office of the Recorder of the County of Los Angeles, at which time the area vacated will no longer be a public highway.

The foregoing Resolution was on the _____ day of _____, 20____, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.

VIOLETA VARONA-LUKENS, Executive Officer of
the Board of Supervisors
of the County of Los Angeles

APPROVED AS TO FORM

LLOYD W. PELLMAN
County Counsel

By _____
Deputy

By _____
Deputy

CVC:adg
P5\CANON BRD

EXHIBIT "A"
CANON DRIVE & COMIDA WAY
(M0288112).

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That portion of CANON DRIVE, variable width, in the unincorporated territory of the County of Los Angeles, State of California, as shown on and dedicated to the public use by map of Tract No. 3944, recorded in Book 72, pages 36 to 44 inclusive, of Maps, in the office of the Recorder of said County described as follows:

Beginning at the intersection of the southerly line of Lot 63, of said tract, and a line parallel with and 32.5 feet westerly, measured at right angles from that certain course having a bearing and length of S 5°58'E 192.81 feet in the westerly boundary of Lot 303, of said tract; thence southerly along said parallel line to the beginning of a curve concave to the northwest, having a radius of 13 feet, tangent to said parallel line and tangent to a line, parallel with and 25 feet northerly, measured at right angles from the northerly line of Lot 28, of said tract; thence southwesterly along said curve to said last mentioned parallel line; thence westerly along said last mentioned parallel line to the easterly line of Lot 62 of, said tract; thence northerly along said easterly line to the most southwesterly corner of said Lot 63; thence easterly along said southerly line of Lot 63 to the point of beginning.

Total Area: 2,680±square feet

Description Approved

JAMES A. NOYES
Director of Public Works

By _____
Deputy

CVC:adg
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